

REMARKS

Claims 12-25 and 27-30 were examined by the Office, and in the Office Action of May 19, 2011 all claims are rejected. With this response, claims 12, 16, 20, 22-25, 27-28 and 30 are amended. All new claims are fully supported by the specification as originally filed. Support for new claim can be found at least from paragraphs [0145] and [0148] of the published application for this application. Applicant respectfully requests reconsideration and withdrawal of the rejections in view of the following discussion.

Applicant respectfully notes that it appears the Office has not examined the version of the claims that has been filed by the applicant. The version of the claims discussed in the Office Action do not appear to correspond to the claims as filed by the applicant, and therefore it appears to be unclear as to what claims the Office has examined. Accordingly, applicant respectfully requests that the Office compare the claims as filed with the language of the claims in the Office Action and issue a new non-final Office Action that addresses the correct claims.

Claim Rejections Under § 102

In section 4, on page 2 of the Office Action, claims 12-16, 20-25 and 27-30 are rejected under 35 U.S.C. § 102(b) as anticipated by Hoogenboom et al. (U.S. Patent No. 5,517,250). Applicant respectfully submits that claim 12 is not disclosed or suggested by Hoogenboom, because Hoogenboom fails to disclose or suggest all of the limitations recited in claim 12. Applicant respectfully submits that Hoogenboom at least fails to disclose or suggest that the first and the second identifier are different from time stamps of the first and second encoded picture, as recited in claim 12.

Hoogenboom is directed to solving a completely different problem than what the present invention as claimed is directed to. Hoogenboom addresses the issue of having to access the decoding time stamp (DTS) in a packetized elementary stream (PES) in an MPEG-2 system multiple times during decoding. Hoogenboom solves this issue by buffering the DTS in a DRAM memory. In Hoogenboom, if a picture never arrives whose DTS has been buffered, a new DTS can overwrite the stale DTS in the memory. However, this has nothing to do with providing an identifier indicative of the respective decoding order of information in the

transmission units. The present application, and the current claims of the present application, are not directed towards DTS.

A time stamp such as a decoding time stamp may not provide the information necessary to determine decoding order in an efficient manner. For example, the time stamps may be omitted from transmission, whereby they are not available at the decoding. Furthermore, the time stamps may not be relevant in a system that does not operate based on time. It is well known in the art that such systems widely exist, for example the H.264 system does not make reference to time. In addition, since there are systems where the transmission order is different from decoding order, a time stamp associated with the transmission units may not work reliably for determining the decoding order. Accordingly, Hoogenboom does not disclose or suggest using identifiers that are different from time stamps for indicating the respective decoding order of information in the transmission units, since Hoogenboom is involved in handling the DTSs by buffering time stamps in memory. Therefore, for at least this reason, claim 12 is not disclosed or suggested by Hoogenboom.

Independent claims 16, 20-25 and 27-28 contain limitations similar to claim 12, and therefore for at least for the reasons discussed above in relation to claim 12, these independent claims are not disclosed or suggested by Hoogenboom.

The claims depending from the independent claims listed above are also not disclosed or suggested by Hoogenboom at least in view of their dependencies.

Claim Rejections Under § 103

In section 7, on page 5 of the Office Action, claims 13-14 are rejected under 35 U.S.C. § 103(a) as unpatentable over Hoogenboom in view of Le Roux et al. (U.S. Patent No. 6,618,438). Applicant respectfully submits that Le Roux fails to make up for the deficiencies in the teachings of Hoogenboom identified above, and therefore claims 13-14 are not disclosed or suggested by the cited references at least in view of their dependencies. In addition, Le Roux is directed to effective stream switching, and involves the manipulation of DTS of the two streams between which switching is taking place. DTS are problematic in the sense that they dictate the decoding time of an image in a fixed manner, and in stream switching attention needs to be paid to having the correct decoding time stamps in the streams. Since Le Roux is concerned with decoding time

stamps, there is no disclosure of integer numbers, wrap around schemes or the like. Instead, Le Roux merely discusses time instances and DTS values, i.e. time values, and the purpose of a DTS is different from the identifies, as recited in claims 13-14. See Le Roux column 6, lines 42-47. Therefore, for at least these additional reasons, claims 13-14 are not disclosed or suggested by the cited referenced.

In section 8, on page 6 of the Office Action, claims 17 and 19 are rejected under 35 U.S.C. § 103(a) as unpatentable over Hoogenboom in view of Bigham et al. (U.S. Patent No. 5,677,905). Claims 17 and 19 ultimately depend from independent claim 16, and Bigham fails to make up for the deficiencies in the teachings of Hoogenboom identified above. Therefore, claims 17 and 19 are not disclosed or suggested by the cited references at least in view of their dependencies.

In section 9, on page 7 of the Office Action, claim 18 is rejected under 35 U.S.C. § 103(a) as unpatentable over Hoogenboom in view of Watkins (U.S. Publ. Appl. No. 2004/0039796). Claim 18 ultimately depends from independent claim 16, and Watkins fails to make up for the deficiencies in the teachings of Hoogenboom identified above. Therefore, claim 18 is not disclosed or suggested by the cited references at least in view of its dependency.

Conclusion

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance and such action is earnestly solicited. The undersigned hereby authorizes the Commissioner to charge Deposit Account No. 23-0442 for any fee deficiency required to submit this response.

Respectfully submitted,

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